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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,610	07/22/2003	Naoki Sakai	116647	5060
25944	7590	04/06/2005		
OLIFF & BERRIDGE, PLC			EXAMINER	
P.O. BOX 19928			NGUYEN, PHUNG	
ALEXANDRIA, VA 22320			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/623,610	SAKAI, NAOKI	
	Examiner Phung T Nguyen	Art Unit 2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 July 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 6-11 is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) 4 and 5 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/22/03.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rice (U.S. Pat. 6,028,509) in view of Madau (U.S. Pat. 5,510,765).

**Regarding claim 1:** Rice discloses voice activated vehicle alarm system comprising a sound pressure sensing unit for sensing a sound pressure to output sound pressure sensing signal; an abnormal degree determination unit for determining an abnormal degree on the basis of a level of the temperature sensing signal and a level of the sound pressure sensing signal to output a determination result; and an alerting process unit for performing a predetermined alerting process on the basis of the determination result (fig. 1, col. 1, lines 59-67, col. 2, lines 62-67, and col. 3, lines 1-9). Rice does not teach an impact sensing unit for sensing an impact to output an impact sensing signal. However, Madau discloses motor vehicle security sensor system comprising an impact sensing unit for sensing an impact to output an impact sensing signal (fig. 1, col. 6, lines 63-67, and col. 7, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the impact sensing unit of Madau with the temperature sensing unit of Rice because they both teach a security system. It is seen that using the impact sensing unit would provide a more accurate system.

**Regarding claim 2:** Madau teaches wherein the abnormal degree determination unit concludes that an illegal break-in is conducted when the level of the impact sensing signal is not less than a first predetermined value (col. 3, lines 25-48) and Rice teaches the level of the sound pressure sensing signal is not less than a second predetermined value (col. 3, lines 1-9).

**Regarding claim 3:** Madau discloses wherein the alerting process unit performs an alerting process corresponding to the illegal break-in (col. 4, lines 39-56).

***Allowable Subject Matter***

3. Claims 6-11 are allowed.
4. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

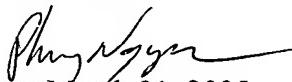
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. Issa et al. [U.S. Pat. 5,990,786] disclose advanced method of indication incoming threat level to an electronically secured vehicle and apparatus.
  - b. Grasmann [U.S. Pat. 5,680,096] discloses process and apparatus for monitoring a vehicle interior.
  - c. Everett, Jr. et al. [U.S. Pat. 4,857,912] discloses intelligent security assessment system.
  - d. Marino et al. [U.S. Pat. 5,117,220] disclose glass breakage detector.
  - e. Rickman [U.S. Pat. 5,376,919] discloses vehicle intrusion detector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu, can be reached on 571-272-2964. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 571-272-2600.

Phung Nguyen



Date: March 31, 2005